

REMARKS/ARGUMENTS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested. Claim 6 has been cancelled. Claims 2, 4, 5, 7, and 12-14 have been amended. New claim 30 has been added. Support for all amendments and new claims can be found throughout the specification. No new matter has been added. Upon entry of the above amendments, claims 1-5 and 7-30, as amended, will be pending.

Preliminarily, Applicants would like to thank the Examiner for indicating that claims 10-11 and 15-28 are in condition for allowance. Additionally, Applicants would like to thank the Examiner for indicating that claims 4-6 and 14 would be allowable if rewritten in independent form. In accordance with the Examiner's suggestions, new claim 30 has been added which includes all of the elements of claim 6, and claim 6 has been cancelled accordingly. Additionally, claims 2, 4, 5, 7, and 12-14 have been amended such that they are dependent on new claim 30.

Claims 1-3, 7-9, 12-13, and 29 have been rejected under 35 U.S.C. § 103(a) as obvious over WO 96/32839 ("Brinker") in view of DE 1220438 ("Ulsperger").

With respect to the obviousness rejection of claims 2-3, 7-9, 12-13, and 29, the amendments to the claims are believed to place them in condition for allowance. Specifically, the claims have been amended to depend directly or indirectly on new claim 30, which incorporates all of the elements of claim 6 (which the Examiner indicated would be in condition for allowance if rewritten in independent form, as discussed above).

With respect to the obviousness rejection of claim 1, the Examiner acknowledges that Brinker does not teach the surfactant of formula (I). The Examiner cites Ulsperger as disclosing a surface-active agent of formula (I) and contends that it would have been obvious to substitute or replace the etheramine surfactant within Brinker's glyphosate formulation with the surface-active agent of Ulsperger. Applicants respectfully disagree. As is known in the art, there are a wide variety of different types of surface-active agents that possess or exhibit widely divergent properties. The combination of particular surface-active agents with other components, in this regard, often yields undesirable effects on the performance


properties of these other components. One of ordinary skill in the art reading Brinker, therefore, could not have had a reasonable expectation of success in combining the specific surface-active agent disclosed in Ulsperger with Brinker's glyphosate formulation to achieve an agrochemical composition having the unexpected properties of the present invention. Accordingly, Applicants respectfully assert that claim 1 is patentable in view of the cited references.

Therefore, all rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

JONES DAY

By: 

David M. Mott
Registration No. 47,808
Direct No. (202) 879-3674

Paul L. Sharer
Registration No. 36,004
Direct No. (202) 879-5481

Intellectual Property Group
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
(202) 879-3939 Telephone
(202) 626-1700 Facsimile

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